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PATENT COOPERATION TREATY



Translation

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 8501	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/001691	International filing date (day/month/year) 05 juin 2003 (05.06.2003)	Priority date (day/month/year) 14 juin 2002 (14.06.2002)
International Patent Classification (IPC) or national classification and IPC H04L 29/12		
Applicant FRANCE TELECOM SA		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 6 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 6 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 12 janvier 2004 (12.01.2004)	Date of completion of this report 27 October 2004 (27.10.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/001691

I. Basis of the report

1. With regard to the elements of the international application:*

☒ the international application as originally filed

☒ the description:

pages 1-37, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

☒ the claims:

pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-32, filed with the letter of 21 July 2004 (21.07.2004)

☒ the drawings:

pages 1/15-15/15, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

☐ the sequence listing part of the description:

pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
☐ the claims, Nos. _____
☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

Intern application No.

PCT/FR 03/01691

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-32	YES
	Claims	None	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-32	NO
Industrial applicability (IA)	Claims	1-32	YES
	Claims	None	NO

2. Citations and explanations**1. Reference is made to the following documents:**

D1: WO-A-01/13601

D2: "Report of the Department of State ITAC-T
Advisory Committee, Study Group A, Ad Hoc on
ENUM", 6 June 2001, pages 1-39, XP2238095

D3: VERISIGN-TELECORDIA, RUTKOWSKI T., "A
designated ENUM DNS Zone Provisioning
Architecture", U.S. Dept. of State ITAC-T
Advisory Committee, Study Group A, Ad Hoc
Meeting on ENUM, 28 March 2001, XP2238108

D4: US2002/027915 A1

2. The present application fails to meet the requirements of PCT Article 33(1), since the subject matter of independent claim 1 does not involve an inventive step as defined by PCT Article 33(3).**2.1 D1, which is considered to be the prior art closest to the subject matter of claim 1, describes (the references between parentheses apply to said document) a system for consulting or modifying a record stored in a first database (page 3 lines 19 to 27), wherein said record includes a plurality of**

resource records and said first database is hosted by a domain-name server, referred to as DNS server (page 3, line 19 to page 4, line 22), which system includes:

- communication means enabling said system to receive a request to consult or modify said record (page 3, lines 6 to 13);
- control means for determining a domain name and an operation to be performed on said record, on the basis of said consultation or modification request transmitted to said system (page 3, line 19 to page 4, line 4);
- protocol management means for searching the IP address of said server hosting said first database, on the basis of the domain name, and for transmitting a request to read or update said record to said server, according to said operation (page 7, line 19 to page 8, line 31).

2.2 Consequently, the subject matter of claim 1 differs from the known system as described in D1 in that the request to consult or update records comes directly from the subscriber's own terminal, thereby making updating quick and simple, instead of being transferred from a network operator's subscriber management system.

2.3 However, D1 indicates that the information required for processing such requests can be provided by the customer's terminal (page 3, line 32 to page 4, line 4) and, above all, that a system allowing a DNS server record to be consulted or modified directly by the customer is under development. Since a method enabling an application (hence, for example, a program run from a subscriber's terminal) to perform

such a direct search in the context of establishing a connection using the SIP protocol is known (cf. D4, paragraph 19), a person skilled in the art would have been prompted to incorporate this method in the system disclosed in D1 to arrive at the subject matter of claim 1 without exercising inventive skill.

3. Dependent claims 2 to 32 contain no feature which, when combined with the features of any one of the claims to which they refer, defines subject matter that complies with the PCT requirements of inventive step. Indeed, the subject matter of said claims either can be drawn directly from the documents cited above (in particular: the authentication means - cf. D1, page 11, lines 11 to 15; the use of LDAP protocol - cf. D1, page 4, lines 6 and 7 and D2, page 14, last two lines; the programmed modification of records - cf. D1, page 11, line 17 to page 12 line 5; the use of secure DNS protocol - cf. D1, page 12, lines 9 to 16 and D2 page 24, chapter 7 "Consumer Protection"; the use of the NAPTR fields of DNS protocol resource records - cf. D1, page 4, lines 9 to 15) or relates to simple features requiring no inventive skill (in particular: the storage and the consultation of histories; the RTC, RNIS and IP interfaces; the use of voice synthesis and reproduction and the recognition of DTMF signals; the use of videotex menus, SMS messages, facsimile machines, servers, Web pages and e-mails - cf. D2, page 19, chapter 6.1; the use of standardised user-to-user information for RNIS signalling, the use of standardised E.164 dialling, the use of the various standardised fields of the DNS protocol resource records).

Certain defects in the international application

1. Independent claim 1 is unclear due to the improper use of several "or" and "and/or" conjunctions, making it difficult for the reader to determine the scope of the protection sought (PCT Article 6). In particular, the effect of the expression "consultation and/or update" is that any prior art system including either only such a consultation or only such an update anticipates the subject matter of claim 1.